



General Assembly

February Session, 2014

Raised Bill No. 278

LCO No. 1694



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
(INS)

***AN ACT CONCERNING RESTRICTIONS ON INSURERS FOR
ADVERSE WEATHER-RELATED EVENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-316d of the 2014 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2014*):

4 (a) The declination, cancellation or nonrenewal of a homeowners
5 insurance policy or an increase in the premium of such policy is
6 prohibited if the declination, cancellation, [or] nonrenewal or increase
7 is based solely on a loss incurred as a result of [a catastrophic event as
8 declared by a nationally recognized catastrophe loss index provider]
9 any adverse weather-related event and such loss was not caused by or
10 resulting from the negligence of the insured. For the purposes of this
11 section, an insurer shall not be deemed to have declined, cancelled or
12 nonrenewed a policy if coverage is available through an affiliated
13 insurer.

14 (b) The declination or nonrenewal of a homeowners insurance

15 policy, the addition of a surcharge or any increase in the premium of
16 such policy is prohibited if the declination, nonrenewal, surcharge or
17 increase is based solely on any claim filed on the covered property
18 while such property was owned by anyone other than the current
19 applicant or insured, unless the risk from which such claim originated
20 has not been mitigated.

21 (c) The cancellation or nonrenewal of a homeowners insurance
22 policy or an increase in the premium of such policy is prohibited if the
23 cancellation, nonrenewal or increase is based solely on inquiries made
24 on such policy or a claim filed under such policy that resulted in a loss
25 coverage payment by the insurer of less than five hundred dollars or in
26 no loss coverage payment. [Such prohibition shall not apply if the
27 insured filed more than one claim resulting from a noncatastrophic
28 event in the three policy years immediately preceding that resulted in
29 any loss coverage payment by the insurer.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	38a-316d

Statement of Purpose:

To prohibit the declination, cancellation or nonrenewal of a homeowners insurance policy or an increase in the premium of such policy based solely on a loss incurred as a result of any adverse weather-related event and such loss was not caused by or resulting from the negligence of the insured.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]